

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MAXIMILIANO RODRIGUEZ,  
Plaintiff,  
v.  
DAVID TSUI, et al.,  
Defendants.

No. 2:21-cv-02208 WBS DB P

ORDER

Plaintiff, a state prisoner proceeding pro se, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 21, 2022, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within thirty days. Plaintiff has not filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED:

1. The findings and recommendations filed January 21, 2022, are adopted in full;
2. Plaintiff's motion for a stay and abeyance with leave to amend (ECF No. 7) is denied;

3. This action is dismissed without prejudice to the re-filing of a new and separate civil action after plaintiff has fully complied with the exhaustion mandate of 42 U.S.C. § 1997e(a); and

4. The Clerk of the Court is directed to close this case.

Dated: March 11, 2022



WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

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